Please cancel claim 1;

Please add new claim 26;

Please amend claims 2-5, 9, 11, and 14 as follows:

The following is a listing the pending claims:

1. Cancelled.

2. (Presently amended) The recombinant virus according to claim ~~1~~ 26, wherein the virus is a human adenovirus.

3. (Presently amended) The recombinant virus according to claim ~~1~~ 26, wherein expression of at least one essential early adenovirus gene is controlled by a tumor-specific promoter.

4. (Presently amended) The recombinant virus according to claim ~~1~~ 26, wherein the adenovirus is a heterologously trans-complemented adenovirus.

5. (Presently amended) The recombinant virus according to claim ~~1~~ 26, wherein the virus genome comprises at least the gene encoding the adenovirus E1B-19kDa protein or a functional analog or derivative thereof.

6. (Previously presented) The recombinant virus according to claim 5, wherein the virus genome further comprises the gene encoding the adenovirus E1B-19kDa protein or a functional analog or derivative thereof.

7. (Previously presented) The recombinant virus according to claim 5, wherein the virus genome comprises one or more of the genes of the adenovirus E4 region encoding E4 proteins or functional analogues or derivatives thereof.

8. (Previously presented) The recombinant virus according to claim 7, wherein the virus genome comprises at least the gene encoding the adenovirus E4 or F6 protein or functional analogues or derivatives thereof.

9. (Presently amended) The recombinant virus according to claim ~~1~~ 26, wherein the adenovirus carries a mutation in a E1A region encompassing at least part of the pRb-binding CR2 domain of E1A.

10. Withdrawn.

11. (Presently amended) The recombinant virus according to claim ~~1~~ 26, wherein the restoring factor is p53 protein or a functional analogue or derivative thereof.

12. (Previously presented) The recombinant virus according to claim 11, wherein the protein lacks a functional binding domain for a human MdM2 protein.

13. (Previously presented) The recombinant virus according to claim 11, wherein the protein is a functional derivative of human p53 with mutated amino acids Leu-14 and Phe-19.

14. (Presently amended Previously presented) The recombinant virus according to claim ~~1~~ 26, wherein the target cell is a human cell chosen from the group consisting of cancer cells, arthritic cells, hyperproliferative vascular smooth muscle cells and cells infected with a virus other than said recombinant virus.

15-17. Withdrawn.

18. Cancelled.

19-23. Withdrawn.

24. (Previously presented) The recombinant virus according to claim 2, wherein the human adenovirus comprises serotype 5.

25. (Previously presented) The recombinant virus according to claim 9, wherein the mutation comprises a deletion encompassing amino acids 122-129 (LTCHEAGF) (SEQ. ID. %) of E1A.

26. (New) A replication competent recombinant adenovirus, being capable to replicate and having lytic capacity in target cells, wherein said target cells are hampered in a p53 dependent apoptosis pathway, wherein the adenovirus is a conditionally replicating adenovirus; wherein the adenovirus genome comprises a coding sequence of at least one mammalian restoring factor functional in restoring the p53 apoptosis pathway in said target cells; wherein said coding sequence is operably linked to one or more expression control sequences functional in said target cells, and whereby said restoring factor induces accelerated cell lysis and/or a faster release of virus progeny when compared to a recombinant adenovirus lacking said coding sequence.